

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI
Monday, November 9, 1936

The City Council of the City of Lodi met in adjourned regular session at 8 o'clock P.M. of Monday, November 9, 1936, Councilmen Clark, Graffigna, Spooner, Weihe and Steele present, none absent.

The minutes of the last regular meeting held November 2, 1936 were read, approved as read and so indorsed by the Mayor.

There being no persons present who desired to address the Council the order of Public Hearings was passed and the City Council proceeded with special proceedings.

The City Clerk reported orally that no protests against annexation of land under Resolution No. 862 had been filed with him and that the same had been published according to law, and also presented the affidavit of Clyde C. Church confirming the same. Resolution No. 864 ordering and calling an election on "Academy Addition" was introduced on motion of Councilman Weihe, seconded by Councilman Graffigna and read at length by the Clerk.

RESOLUTION NO. 864

WHEREAS this City Council of the City of Lodi, County of San Joaquin, State of California did receive a petition on the 5th day of October, 1936 wherein it was asked that certain lands therein described be annexed to and made a part of the City of Lodi, such annexed territory to be designated as "Academy Addition" for the purposes of such annexation, and;

WHEREAS, on the 19th day of October 1936, such date being the first meeting of this City Council following the reception of said petition, this City Council did find, on report of the City Clerk, that the number of persons signing said petition were in excess of one-fourth of the qualified electors residing within the territory so proposed for annexation and did pass and adopt its Resolution No. 862 declaring the intent of this City Council to order, call and conduct an election within fifty days from and after the adoption of said Resolution, and, among other things, said Resolution No. 862 did designate and give notice that objections of owners of real property located within the boundaries of the territory proposed to be annexed would be heard before this City Council in its Council Chambers, City Hall, City of Lodi at the hour of 8:00 o'clock P.M. on Monday, the 9th day of November, 1936; and,

WHEREAS, publication of said Resolution No. 862 was had in time, form and manner as required by law in the "Lodi News-Sentinel" a newspaper of general circulation printed and published in the City of Lodi, (there being no newspaper published within the boundaries of the district proposed for annexation), as is evidenced by the affidavit of Clyde C. Church, the publisher of said Lodi News-Sentinel on file and of record in the office of the City Clerk, and;

WHEREAS, no objections of property owners owning lands within the boundaries of said proposed district have been filed with or presented to this City Council or to the Clerk thereof up to the hour of 8:00 o'clock P.M. of Monday, November 9, 1936 and this City Council has acquired jurisdiction herein, now therefore,

BE IT RESOLVED: that this City Council does hereby find, determine and declare that said petition for annexation was regularly circulated signed and filed and was signed by not less than one-fourth of the qualified electors residing within the territory proposed for annexation;

That Resolution No. 862 was regularly published in time, form and manner as required by law and that due notice was given therein of the time and place of hearing of property owners against such annexation;

COUNCIL CHAMBERS -- CITY COUNCIL
CITY HALL -- CITY OF LODI

That no protests were received by this City Council or filed with the City Clerk wherein owners of real property within the district proposed for annexation objected to such annexation and therefore, this City Council now has jurisdiction to call, order and conduct an election on the question of annexation within said territory and such election is hereby called and ordered to be held on Tuesday the 15th day of December, 1936 for the purpose of submitting to the qualified electors residing therein, the question whether the territory bounded and described as follows, shall be annexed to and made part of the City of Lodi and from the date of such annexation, shall be taxed equally with property within the present City of Lodi for payment of principal and interest on bonds issued and outstanding at the date of such election. The territory herein proposed for annexation and within which said election shall be held and conducted is particularly bounded and described as follows:-

Commencing on the West line of Cherokee Lane (as said west line now exists) at a point where said West line of Cherokee Lane is intersected by the North line of Poplar Street in the "Lodi Barnhart Tract", thence Southerly on and along the now existing West line of Cherokee Lane to a point where the same intersects the North line of Kettleman Lane as said Kettleman Lane is delineated and so designated on the official map of "Lodi Barnhart Tract", thence Westerly on and along the North line of said Kettleman Lane to a point 269 feet Easterly and 25 feet Northerly from the Southwest corner of Section 12, Township 3 North, Range 6 East, M.D.B.&M., such point being the Southwest corner of "Bewley Suburban Acres" as per the official map thereof, thence Northerly on and along the West line of said Bewley Suburban Acres and its Northerly continuation to the intersection of the same with the North line of the Southwest one-quarter ($\frac{1}{4}$) of Section 12, Township 3 North, Range 6 East, M.D.B.&M., thence Westerly on and along said North line of the Southwest one-quarter ($\frac{1}{4}$) of Section 12, a distance of 301.6 feet more or less to a point 30 feet East from the Northwest corner of said Southwest one-quarter ($\frac{1}{4}$) of Section 12, such point being on the East line of Quinby Avenue, thence Northerly on and along said East line of Quinby Avenue a distance of 706 feet more or less to the present boundary line of the City of Lodi, thence Easterly on and along said boundary line to a point on the East line of South School Street in "Hutchins Addition", thence Southerly along said East line of South School Street to the intersection of the same with the Westerly extension of the North line of Poplar Street, thence Easterly along the said Northerly line of Poplar Street and its Westerly extension to its intersection with the present Westerly boundary line of Cherokee Lane and the point of beginning first in this description mentioned. The lands herein described and sought to be annexed to the City of Lodi are delineated and designated on or form a part of lands included in the following maps and plats, San Joaquin County records:

Lodi Barnhart Tract, Filed November 5, 1906

Acacia Tract, Filed June 28, 1921

A. J. Larson's Subdivision of a Portion of SW $\frac{1}{4}$ of Section 12, T3N, R6E, Filed December 8, 1891.

Bewley Suburban Acres, Filed March 7, 1921

Hutchins Addition to the Town of Lodi, Filed April 10, 1897

Said territory, next hereinbefore described is hereby designated "ACADEMY ADDITION" for the purpose of identification by which name said territory may be referred to and indicated upon the ballots to be used at said election.

The electors resident in the said territory and qualified to vote therein are hereby directed to vote in the following manner. Upon the ballots to be used at such election there shall be printed the words "Shall Academy Addition be annexed to, incorporated in and made a part of the City of Lodi, and the property therein be, after such annexation, subject to taxation

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI

equally with the property within such municipal corporation to pay that portion of the bonded indebtedness of the City of Lodi issued and outstanding at the date of the filing of the petition for annexation: to-wit, issued and outstanding on the 5th day of October, 1936", opposite these words there shall be printed the words "Yes" and "No" and to the right of each of these last two words there shall be a voting square. If an elector shall stamp a cross (X) in the voting square after the printed word "Yes" the vote of such elector shall be counted in favor of the annexation of the territory referred to in such proposition to the City of Lodi under the conditions therein stated, and if an elector shall stamp a cross (X) in the voting square after the word "No" the vote of such elector shall be counted against such annexation.

The ballots used at such election and the holding and conducting of such election, shall be in conformity, as near as may be, with the laws of this state concerning general elections, except as herein otherwise provided. The polls shall be open from 6:00 A.M. to 7:00 P.M. of said day. The Judges and inspector of such election for each polling place shall, immediately on the closing of the polls, count the ballots, make up, certify and seal the ballots and tally sheets of the ballots cast at their respective polling places, doing so, as nearly practicable, in the manner provided in the laws of this State relating to general elections, and they shall thereupon deliver the ballots, tally sheets and returns to and deposit the same with the City Clerk of this City.

The bonded indebtedness of the City of Lodi hereinbefore referred to issued and outstanding at the date of the filing of the petition for annexation, on the date of the first publication of the notice of election, and on the date herein set for said election, the purposes thereof, the principal amount outstanding and the interest rates thereon are as follows:-

Improvement Bonds 1908 issued for \$50,000 of which there is still outstanding \$3,333.34 bearing interest @ 5% per annum incurred for acquisition, construction and completion of a sewer system.

Improvement Bonds of 1921 issued for \$200,000 of which there is still outstanding \$53,000 bearing interest @ 5½% per annum incurred for the acquisition, construction and completion of additions to water system, storm sewers, sanitary sewers, additional fire mains and additional equipment for the municipal electric plant.

Improvement Bonds of 1923 issued for \$100,000 of which there is still outstanding the sum of \$30,000 bearing interest @ 5% per annum incurred for the acquisition, construction and completion of a sewage disposal plant.

Sample ballots containing the matter required to be printed thereon shall be mailed to the electors of said territory by the City Clerk, but a failure on the part of any elector to receive such sample ballot shall not be held to invalidate the election or affect in any manner the legality thereof.

There shall be one voting precinct within said territory for the purpose of holding said special election, which voting precinct is hereby established by this City Council for that purpose and designated "Election Precinct No. 1" the boundaries of which shall be co-extensive with the boundaries of the territory herein proposed to be annexed to the City of Lodi. The voting place at which the polls will be open for said special election in said territory shall be at the garage of Mrs. Alice H. Weitz, 1325 South Central Avenue, there being no place commonly used as a voting place within such territory.

The officers to conduct said special election in and for said voting place in said territory are hereby appointed and designated as follows:

JUDGES: Mrs. Veda Knapp and Mrs. Avis Ball.
INSPECTOR: Charles E. Stemler.

COUNCIL CHAMBERS-- CITY COUNCIL
CITY HALL-- CITY OF LODI

each of the foregoing election officers being a qualified elector of said voting precinct.

The City Clerk of this City will cause proper notice of this election to be published at least once a week for four successive weeks next preceeding the date of this election in the "STOCKTON RECORD" a newspaper of general circulation printed and published outside the City of Lodi but in the County of San Joaquin and hereby designated by this City Council for the purpose, such notice to be in substantially the following words:

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that, in response to a petition for annexation, and pursuant to law and proceedings heretofore had, a special election is hereby called and ordered to be held on MONDAY, the 15th day of DECEMBER, 1936 within the territory hereinafter described, for the purpose of submitting to the qualified electors residing therein the question whether said territory shall be annexed to and made a part of the City of Lodi and, from the date of such election, be taxes equally with property within the present City of Lodi to pay that portion of the bonded indebtedness of said City issued and outstanding at the date of the first publication of this notice.

Said territory shall be designated as "ACADEMY ADDITION" and shall be so named on the ballots to be used at said election and is particularly bounded and described as follows:-

Commencing on the West line of Cherokee Lane (as said west line now exists) at a point where said West line of Cherokee Lane is intersected by the North line of Poplar Street in the "Lodi Barnhart Tract", thence Southerly on and along the now existing West line of Cherokee Lane to a point where the same intersects the North line of Kettleman Lane as said Kettleman Lane is delineated and so designated on the official map of "Lodi Barnhart Tract", thence Westerly on and along the North line of said Kettleman Lane to a point 269 feet Easterly and 25 feet Northerly from the Southwest corner of Section 12, Township 3 North, Range 6 East, M.D.B.&M., such point being the Southwest corner of "Bewley Suburban Acres" as per the official map thereof, thence Northerly on and along the West line of said Bewley Suburban Acres and its Northerly continuation to the intersection of the same with the North line of the Southwest one-quarter ($\frac{1}{4}$) of Section 12, Township 3 North, Range 6 East, M.D.B.&M., thence Westerly on and along said North line of the Southwest one-quarter ($\frac{1}{4}$) of Section 12, a distance of 301.6 feet more or less to a point 30 feet East from the Northwest corner of said Southwest one-quarter ($\frac{1}{4}$) of Section 12, such point being on the East line of Quinby Avenue, thence Northerly on and along said East line of Quinby Avenue a distance of 706 feet more or less to the present boundary line of the City of Lodi, thence Easterly on and along said boundary line to a point on the East line of South School Street in "Hutchins Addition", thence Southerly along said East line of South School Street to the intersection of the same with the Westerly extension of the North line of Poplar Street, thence Easterly along the said Northerly line of Poplar Street and its Westerly extension to its intersection with the present Westerly boundary line of Cherokee Lane and the point of beginning first in this description mentioned. The lands herein described and sought to be annexed to the City of Lodi are delineated and designated on or form a part of lands included in the following maps and plats, San Joaquin County records:

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COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI

The bonded indebtedness of said City above referred to, at the date of the filing of the petition for annexation, at the date of the first publication of this notice and at the date herein set for said election is as follows:

Improvement Bonds 1908 issued for \$50,000 of which there is still outstanding \$3,333.34 bearing interest @ 5% per annum incurred for acquisition, construction and completion of a sewer system.

Improvement Bonds of 1921 issued for \$200,000 of which there is still outstanding \$53,000 bearing interest @ 5 $\frac{1}{4}$ % per annum incurred for the acquisition, construction and completion of additions to water system, storm sewers, sanitary sewers, additional fire mains and additional equipment for the municipal electric plant.

Improvement Bonds of 1923 issued for \$100,000 of which there is still outstanding the sum of \$30,000 bearing interest @ 5% per annum incurred for the acquisition, construction and completion of a sewage disposal plant.

The electors resident in the said territory and qualified to vote therein are hereby directed to vote in the following manner. Upon the ballots to be used at such election there shall be printed the words "Shall Academy Addition be annexed to, incorporated in and made a part of the City of Lodi, and the property therein be, after such annexation, subject to taxation equally with the property within such municipal corporation to pay that portion of the bonded indebtedness of the City of Lodi issued and outstanding at the date of the filing of the petition for annexation: to-wit, issued and outstanding on the 5th day of October, 1936" opposite these words there shall be printed the words "Yes" and "No" and to the right of each of these last two words there shall be a voting square. If an elector shall stamp a cross (X) in the voting square after the printed word "Yes" the vote of such elector shall be counted in favor of the annexation of the territory referred to in such proposition to the City of Lodi under the conditions therein stated, and if an elector shall stamp a cross (X) in the voting square after the word "No" the vote of such elector shall be counted against such annexation.

The ballots used at such election and the holding and conducting of such election, shall be in conformity, as near as may be, with the laws of this state concerning general elections, except as herein otherwise provided. The polls shall be open from 6:00 A.M. to 7:00 P.M. of said day. The judges and inspector of such election for each polling place shall, immediately on the closing of the polls, count the ballots, make up, certify and seal the ballots and tally sheets of the ballots cast at their respective polling places, doing so, as nearly practicable, in the manner provided in the laws of this State relating to general elections, and they shall thereupon deliver the ballots, tally sheets and returns to and deposit the same with the City Clerk of this City.

Sample ballots containing the matter required to be printed thereon shall be mailed to the electors of said territory by the City Clerk, but a failure on the part of any elector to receive such sample ballot shall not be held to invalidate the election or affect in any manner the legality thereof.

There shall be one voting precinct within said territory for the purpose of holding said special election, which voting precinct is hereby established by this City Council for that purpose and designated "Election Precinct No. 1" the boundaries of which shall be co-extensive with the boundaries of the territory herein proposed to be annexed to the City of Lodi. The voting place at which the polls will be open for said special election in said territory shall be at the garage of Mrs. Alice H. Weitz, 1325 South Central Avenue, there being no place commonly used as a voting place within such territory.

COUNCIL CHAMBERS -- CITY COUNCIL
CITY HALL -- CITY OF LODI

The officers to conduct said special election in and for said voting place in said territory are hereby appointed and designated as follows:

JUDGES: MRS. VEDA KNAPP and MRS. AVIS BALL.

INSPECTOR: CHARLES E. STEHLER.

each of the foregoing election officers being a qualified elector of said voting precinct.

This Notice is given pursuant to Resolution No. 864 of the City Council of the City of Lodi as adopted by said City Council on November 9, 1936 and in accordance with the "Annexation Act of 1913" and amendments thereto.

The foregoing Resolution No. 864 was then passed and adopted by the following vote:

AYES: Councilmen, Weihe, Graffigna, Clark, Spooner and Steele
NOES: Councilmen, None
ABSENT: Councilmen, None.

In the matter of the cancellation of City of Lodi 1935 Electric Bonds the Clerk filed the following report:

To the Honorable City Council
City of Lodi
Council Chambers, City Hall
Lodi, California

Gentlemen:

In accordance with the instructions of your honorable body given to me on the 5th day of October, 1936, I have caused due and proper publication to be had of the "NOTICE OF INTENTION OF THE CITY COUNCIL OF THE CITY OF LODI TO PUBLICLY DESTROY CITY OF LODI 1935 ELECTRIC BONDS AND CANCEL AND ANNUL AUTHORITY GIVEN BY THE QUALIFIED ELECTORS OF THE CITY OF LODI AT A SPECIAL ELECTION HELD SEPTEMBER 12, 1935 FOR THE INCURRING OF A BONDED INDEBTEDNESS IN THE SUM OF \$466,000," as is evidenced by the affidavit of Clyde C. Church, the publisher and foreman printer of the Lodi News-Sentinel, the newspaper in which notice was published.

I hereby certify that no objections, written or otherwise, have been deposited or filed with me up to three (3) days prior to November 9, 1936 nor prior to 8:00 o'clock P.M. of November 9, 1936 nor prior to 8:00 o'clock P.M. of November 9, 1936.

J. F. BLAKELY

Clerk.

Resolution No. 866, ordering destruction of the City of Lodi 1935 Electric Bonds was introduced on motion of Councilman Spooner, seconded by Councilman Graffigna and read at length by the Clerk.

RESOLUTION NO. 866

A RESOLUTION OF THE CITY OF LODI DIRECTING THE CANCELLATION AND DESTRUCTION OF CITY OF LODI 1935 ELECTRIC BONDS AUTHORIZED TO BE ISSUED PURSUANT TO AN ELECTION HELD IN SAID CITY ON SEPTEMBER 12, 1935.

WHEREAS, by Resolution No. 858 of the City Council of the City of Lodi, passed and adopted on the 5th day of October, 1936, the City Council of said City determined that the sale and disposal of City of Lodi 1935 Electric Bonds, aggregating in principal amount \$466,000, consisting of 466 bonds of the denomination of \$1000 each, numbered 1 to 466, inclusive, dated October 1, 1935, bearing interest at the rate of four (4) per cent. per annum, payable semiannually, and maturing in varying amounts on October 1, in each of the years 1936 to 1960, inclusive (which bonds were authorized to be issued pursuant to an election held in said City on September 12, 1935), were deemed by said City Council to have become impossible and inexpedient,

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI

and that the destruction of all of said bonds was desirable, and did, in and by said resolution fix Monday, the 9th day of November, 1936, at the hour of 8 o'clock P.M. of said day and the meeting room of said City Council in the City Hall of said City of Lodi as the time and place at which written objections to the destruction of said bonds may be filed with the Clerk of said City, and further directed the City Clerk of said City to cause public notice of the intention of said Council publicly to destroy said bonds to be given by publication of such notice in "The Lodi News-Sentinel," the official newspaper of said City; and

WHEREAS, such notice in the time, form and manner as required by law has been duly published as appears from the affidavit of Clyde C. Church now on file in the office of the City Clerk of said City of Lodi; and

WHEREAS, no objections in writing to the destruction of said bonds have been filed with the City Clerk of said City in accordance with the terms of said notice and the laws of the State of California; and

WHEREAS, it appears and this City Council hereby finds and determines that written objections to the destruction of said bonds signed by a majority of the legal voters of said City, as appears by the vote cast at the last preceding general municipal election, have not been filed with the Clerk of said City, and that no objection of any kind or character to the destruction of said bonds has been signed by a majority of the legal voters of said City determined as aforesaid, and that this Council is fully authorized publicly to destroy said bonds; and

WHEREAS, all acts, conditions and things required by law precedent to the destruction of said bonds on the part of said City to be done and performed, have been done and have been performed in due time, form and manner as required by law,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi as follows, to wit:

1. - That all of the recitals herein set forth are true and correct and this Council so finds and determines.
2. - That the sale and disposal of said City of Lodi 1935 Electric Bonds referred to in the recitals hereof are hereby deemed by this City Council to have become impossible and inexpedient, and that the destruction of said bonds is desirable, and all of the findings and determinations of this City Council as set forth in Resolution No. 858 of this City Council heretofore passed and adopted on the 5th day of October, 1935, are hereby readopted, ratified, confirmed and approved.
3. - That the Clerk of this City Council is hereby authorized and directed at this time and place, to wit, this 9th day of November, 1936, at the hour of 8 o'clock P.M. in the meeting room of this City Council in the City Hall of said City of Lodi, Pine Street and Pleasant Avenue of said City, publicly to destroy each and all of said City of Lodi 1935 Electric Bonds, by perforating each of said bonds and the coupons attached thereto, which perforations shall be made through the signatures to each of said bonds and through the facsimile signatures of each of the coupons appertaining thereto. Thereupon said bonds and the coupons appertaining thereto shall be null and void, and none of said bonds or coupons shall constitute an obligation of the City of Lodi, nor shall said City of Lodi issue or sell any bonds for the object and purpose of raising money for the acquisition of the municipal improvement referred to in the proposition submitted to the electors at said special election held September 12, 1935, nor shall any further or other issue of bonds in place of those thus destroyed be made by said City or this City Council unless again authorized by vote of the people of the City of Lodi as provided by law.
4. - This resolution shall take effect immediately.

PASSED AND ADOPTED this 9th day of November, 1936 by the following vote:

AYES: Councilmen, Spooner, Graffigna, Clark, Weihe and Steele (Mayor)

NOES: Councilmen, None

ABSENT: Councilmen, None

G. M. STEELE
Mayor of the City of Lodi,
California.

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI

In accordance with the foregoing resolution the Clerk proceeded to destroy the bonds by perforating them with holes through all signatures and facsimile signatures affixed to the bonds and the coupons thereunto attached. The Council then signed certificates that the bonds had been destroyed in accordance with said Resolution No. 866.

In accordance with the agreement with the Pacific Gas and Electric Company the execution of a deed to certain lands in Amador and Calaveras Counties named in the agreement was authorized by adoption of Resolution No. 867.

RESOLUTION NO. 867

RESOLVED, that in conformity with the provisions of the offer of the Pacific Gas and Electric Company dated September 18, 1936, for the purchase of certain properties from the City of Lodi situate in the Counties of Amador and Calaveras, State of California, and in conformity with the provisions of Resolution No. 857 of the City Council of the City of Lodi accepting said offer, the Mayor and the City Clerk are hereby authorized and directed to execute, acknowledge and deliver to said Pacific Gas and Electric Company, upon payment of the consideration mentioned in said offer, a deed in the form to which this resolution is attached.

The foregoing Resolution No. 867 was introduced on motion of Councilman Graffigna, and seconded by Councilman Spooner, finally passed and adopted by the following vote:

AYES: Councilmen, Graffigna, Spooner, Clark, Weihe and Steele (Mayor)
NCES: Councilmen, None
ABSENT: Councilmen, None.

Resolution No. 868 was introduced on motion of Councilman Clark seconded by Councilman Weihe, read at length by the Clerk and considered by the Council.

RESOLUTION NO. 868

BE IT RESOLVED, By the City Council of the City of Lodi, San Joaquin County, California, that the Mayor of said City, Clerk of said City, and each of the members of the City Council of said City, and the City Attorney of said City, as solicitor for defendants, be and they and each of them are hereby authorized, directed and empowered to sign, execute, deliver and file in the District Court of the United States for the Northern District of California, Southern Division, a stipulation, a copy of which is hereunto annexed, marked EXHIBIT "S", and made a part hereof for all purposes, and that the City Attorney of said City, as solicitor for defendants, is further authorized to sign a stipulation and file the same with said court in the action mentioned in the annexed stipulation, stipulating and agreeing to the entry in said action of a consent decree pursuant to said stipulation, copy of which consent decree is hereunto annexed, marked EXHIBIT "S-1" and made a part hereof for all purposes.

The foregoing Resolution No. 868 was then passed and adopted by the following vote:

AYES: Councilmen, Clark, Weihe, Spooner, Graffigna and Steele (Mayor)
NCES: Councilmen, None
ABSENT: Councilmen, None.

The Clerk read a letter from Robert M. Searls, Special Counsel for the City in the case East Bay Municipal Utility District vs. City of Lodi asking that the Council authorize the employment of Mr. Hyde Forbes as geologist. On motion of Councilman Spooner, seconded by Councilman Graffigna the employment of Mr. Forbes was so authorized.

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI

It appearing that Gold Mining and Water Company had filed an application for permission to divert waters of the Mokelumne River, the City Attorney was directed to file a protest against such diversion to the Division of Water Rights at Sacramento, California. This was done on adoption of Resolution No. 869.

RESOLUTION NO. 869

WHEREAS, Gold Mining and Water Company with offices at 208 Sharon Building, San Francisco, has filed an application with the Department of Public Works, Division of Water Rights, State of California at Sacramento, California applying for permission to divert 105 cubic feet per second and 210 acre feet from the South Fork of the Mokelumne River and from the Little Mokelumne River, tributary to the Mokelumne River, to be diverted in Section 27, T6N, R15E and in Section 7, T5N, R15E, M.D.B.&M., for mining and domestic purposes, said application being numbered 8466 (Calaveras County) on the records of the said Department of Public Works, Division of Water Rights;

NOW THEREFORE BE IT RESOLVED, that Glenn West, City Attorney of the City of Lodi, for and on behalf of this City be, and he is hereby authorized, empowered and directed to file a formal protest against the granting of said application for diversions of said waters for the reason that the granting of the same would be inimical to the interests of the City of Lodi and to the citizens thereof as endangering the water supply of said City.

The foregoing Resolution No. 869 was then passed and adopted by the following vote:

AYES: Councilmen, Graffigna, Spooner, Clark, Weihe
and Steele (Mayor)
NOES: Councilmen, None
ABSENT: Councilmen, None.

The Clerk read a notice from the Department of Public Works setting forth the quarter allocation of gasoline tax for major streets. Communication ordered filed.

It appearing that a dangerous condition existed on the earth sidewalk on the east side of Church Street between Elm and Pine Streets, the City Engineer was authorized to take out the present board cross-walk as there had been quite a serious accident caused by tripping over this plank.

On motion of Councilman Spooner, seconded by Councilman Weihe, J. A. Henning was authorized to purchase the necessary heaters for the Armory.

On motion of Councilman Spooner, seconded by Councilman Clark, the City Engineer was directed to clean up the lot directly North of the Armory, grade Lawrence Avenue at the head of Washington; and mark off Washington Street from Lockeford Street to Lawrence Avenue so as to prohibit parking on the West side of this street.

The payment of the sum of \$7,000 to Jules Perrin and Mary Ann Perrin his wife, was authorized by the adoption of Resolution No. 865.

RESOLUTION NO. 865

WHEREAS, it is to the best interests of the City of Lodi that the said City acquire title to the following described lots or parcels of land in said City and;

WHEREAS, JULES PERRIN and MARY ANN PERRIN, his wife, are willing to convey title to the same to this City for the sum of Seven Thousand (\$7,000.00) Dollars, therefore;

COUNCIL CHAMBERS -- CITY COUNCIL
CITY HALL -- CITY OF LODI

BE IT RESOLVED, that the Mayor be, and he is hereby authorized and directed to draw a warrant on the City Treasurer for the said amount of Seven Thousand (\$7,000.00) Dollars payable to the said Jules Perrin and Mary Ann Perrin, his wife, and deposit the same with the Security Title and Guarantee Company of Stockton, California in escrow, the said warrant to be delivered to the said Jules Perrin and wife on the delivery of a good and sufficient Grant Deed to Lots Three (3) and Four (4) in Block Twenty-nine (29) (Excepting therefrom the West $2\frac{1}{2}$ feet of Lot 3) as said lots and block are delineated and so designated on that certain map or plat entitled "Lokelumne" now on file in the offices of the County Recorder of San Joaquin County, California.

The foregoing Resolution No. 865 was passed and adopted by the following vote:


AYES: Councilmen Weihe, Clark, Spooner, Graffigna and
Steele (Mayor)

NOES: Councilmen None.

ABSENT: Councilmen, None.

No further business appearing at this time the City Council adjourned to the day and hour of its next regular meeting on motion of Councilman Clark, none dissenting.

ATTEST:


J. F. BLAKELY, City Clerk.

The foregoing minutes of an adjourned regular meeting of the City Council of the City of Lodi were read at a subsequent meeting of said Council held November 16, 1936 and approved without correction.


MAYOR OF THE CITY OF LODI